

Double Patenting Rejection

Claims 1-32 stand rejected under the judicially created doctrine of double patenting over claims 1-54 of U.S. Patent No. 6,668,177.

The Office Action alleges that the subject matter claimed in the present application is fully disclosed in U.S. Patent No. 6,668,177 and is covered by the patent since the patent in the application are claiming common subject matter. The Applicant respectfully disagrees with this assertion. The present application expands upon the subject matter included in U.S. Patent No. 6,668,177. Claim 1 of the present application, for example, includes the features of:

“(e) representing, in a **priority section** of the display, a first icon . . .” and

“(f) representing, in a **proximity section** of the display, a second icon . . .”

In contrast to what is disclosed and claimed in the present application, U.S. Patent No. 6,668,177 describes representing icons in a single display section. In particular, there's no discussion in the patent of including both a priority section **and** a proximity section. Claims 21-24 in U.S. Patent No. 6,668,177 were cited in the Office Action because of their teachings relating to proximity. While it is true that U.S. Patent No. 6,668,177 does teach adjusting the size of icons as a function of their proximity to a service, the patent does not disclose nor claim a method of displaying icons that includes both a priority section and a proximity section. The methods of ordering icons in ordering of icons in U.S. Patent No. 6,668,177 may utilize proximity information, but there is no suggestion of using an additional priority section. The Applicant submits that each one of the independent claims pending in the present application includes feature not disclosed or claimed in U.S. Patent No. 6,668,177.

For at least these reasons, the Applicant respectfully requests withdrawal of the double patenting rejection of claims 1-32.

Prior Art Rejection

Claims 25-26 and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nykanen (U.S. Patent No. 6,362,841) and Pivowar (U.S. Patent No. 6,466,236).

The Office Action alleges that Nykanen teaches “specifying a second icon demonstrating closer proximity to the source than the first icon” in column 8, lines 7-46. The applicant respectfully disagrees with the Office Action's characterization of Nykanen. Column 8, lines 7-46, for example, describes retrieving and loading an icon to display on a display device. At most, the cited section of McCann uses the word “location” in the context of locating an icon and placing the icon on a display. There simply is no discussion at all relating to “determining that the proximity of a source associated with a second received message is in closer proximity than the sources associated with other received messages,” as claimed in claim 25. Moreover, there is no teaching for including both of the following elements included in claim 25:

means for displaying on the display device at least a first icon in an enlarged display format **in response to determining that information contained in a first received message matches a user-specified context value**; and

means for displaying on the display device at least a second icon in an enlarged display format **in response to determining that the proximity of a source associated with a second received message is in closer proximity than the sources associated with other received messages**.

The Office Action cites Pivowar for allegedly notifying a change to a user in any mobile terminal by enlarging an icon. It is unclear how such a teaching applies to Nykanen and what changes in Nykanen a user would be notified of by enlarging an icon.

For at least these reasons, the Applicant requests reconsideration of the rejection of claim 25. Claim 26 depends from claim 25 and is allowable for at least the same reasons as claim 25. Independent claims 30 and 32 are allowable for reasons similar to the reasons described above. Claim 31 depends from claim 30 and is allowable for at least the same reasons as claim 30. The applicant requests reconsideration of the rejection of claims 25-26 and 30-32.

New Claims

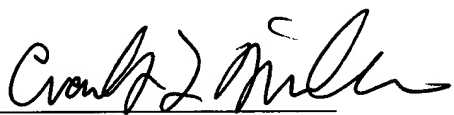
Claims 33-44 are being added by this amendment. Support for the new claims is found throughout the specification.

Conclusion

The Applicants respectfully submit that the instant application is in condition for allowance. Should the Examiner believe that a conversation with Applicant's representative would be useful in the prosecution of this case, the Examiner is invited and encouraged to call Applicant's representative.

Respectfully submitted,

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